

Initiative Measure No. 1486

filed February 25, 2016

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: I-3208.1/16

ATTY/TYPIST: ML:eab

BRIEF DESCRIPTION:

AN ACT Relating to the prohibition of slaughter of horses and other equines for human consumption and prohibition of the purchase, sale, trade, barter, or transport of horses and other equines or their flesh intended for human consumption; amending RCW 16.68.140 and 16.52.180; reenacting and amending RCW 16.68.010; adding a new chapter to Title 69 RCW; creating new sections; and prescribing penalties.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** Horses and other equines are not bred and raised as part of the human food chain but exclusively for recreation, sports, and service in the United States. They are defined as nonfood animals by the United States food and drug administration and are routinely administered over three hundred veterinary medications specifically banned by the food and drug administration for human food producing animals. Although they fall under the United States department of agriculture's regulated classification of "livestock," the United States does not have a system in place to track lifetime medical history of horses and other equines. With the elimination of the country of origin labeling requirements, toxic equine meat will end up in America's food supply, as it is currently in the food supply of other nations. Therefore, allowing the slaughter of horses for human consumption or allowing horses or their meat to be possessed, purchased, sold, bartered, or transported for slaughter for human consumption represents a grave threat to human health and life and the purpose of this act is to make these acts illegal in the state of Washington and make them punishable as a felony.

NEW SECTION. **Sec. 2.**

(1) The definitions in this chapter apply throughout this chapter unless the context clearly requires otherwise.

(a) "Horse" includes all members of the equine family, including horses, ponies, donkeys, mules, asses, and burros.

(b) "Horse meat" means the flesh of any horse, including viscera, skin, hair, hide, hooves, and bones.

(c) "Person" means an individual, corporation, partnership, trust, association, or other legal entity.

(2) Horses are deemed recreational, sports, or service animals only.

(3) It is unlawful for a person to:

(a) Slaughter a horse if a person knows or should know that any of the meat from the slaughtered horse is intended to be used for human consumption;

(b) Possess, purchase, barter, trade, sell, or exhibit for sale a horse or horse meat if a person knows or should know that the horse or horse meat will be used for human consumption; and

(c) Transport a horse or horse meat if a person knows or should know that the horse or horse meat is intended for human consumption.

(4) (a) A violation of this chapter is a class C felony.

(b) Each violation under this chapter constitutes a separate offense and each horse involved constitutes a separate violation.

(5) General authority Washington law enforcement agencies as defined in RCW 10.93.020, the department of agriculture of the state of Washington, and animal care and control agencies as defined in RCW 16.52.011, are authorized to enforce the provisions of this chapter.

Sec. 3. RCW 16.68.010 and 2011 c 336 s 438 are each reenacted and amended to read as follows:

~~((For the purposes of this chapter, unless clearly indicated otherwise by the context :))~~ the definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Carcass" means all parts, including viscera, of a dead meat food animal ~~((+))~~ .

(2) "Dead animal" means the body of a meat food animal, or any part or portion thereof: PROVIDED, That the following dead animals are exempt from the provisions of this chapter:

(a) Edible products from an edible meat food animal by a licensed slaughtering establishment;

(b) Edible products where the meat food animal was slaughtered under farm slaughter permit;

(c) Edible products where the meat food animal was slaughtered by a bona fide farmer on his or her own ranch for his or her own consumption;

(d) Hides from meat food animals that are properly identified as to ownership and brands ((+))_.

(3) "Director" means the director of agriculture ((+))_.

(4) "Independent collector" means any person who does not own a licensed rendering plant within the state of Washington but is properly equipped and licensed to transport dead animals or packing house refuse to a specified rendering plant.

(5) "Meat food animal" means cattle, ((~~horses, mules, asses,~~)) swine, sheep, and goats ((+))_.

(6) "Person" means any individual, firm, corporation, partnership, or association ((+))_.

(7) "Place of transfer" means an authorized reloading site for the direct transfer of dead animals or packing house refuse from the vehicle making original pickup to the line vehicle that will transport the dead animals or packing house refuse to a specified licensed rendering plant((+))_.

(8) "Rendering plant" means any place of business or location where dead animals or any part or portion thereof, or packing house refuse, are processed for the purpose of obtaining the hide, skin, grease residue, or any other by-product whatsoever((+))_.

(9) "Substation" means a properly equipped and authorized concentration site for the temporary storage of dead animals or packing house refuse pending final delivery to a licensed rendering plant.

Sec. 4. RCW 16.68.140 and 2011 c 336 s 444 are each amended to read as follows:

It (~~(shall be)~~) is unlawful for any person to transport, (~~to sell, offer to sell, or have on his or her premises horse meat for other than human consumption unless said horse meat is decharacterized in a manner prescribed by the director: PROVIDED, That this provision shall not apply to carcasses slaughtered by a farmer for consumption on his or her own ranch or to carcasses in the possession of a person licensed under this chapter, or to canned horse meat meeting United States bureau of animal industry regulations~~) possess, purchase, sell, barter, offer to sell or barter, or have on his or her premises horse meat: (a) intended for human consumption, or (b) for any other purpose unless the horse meat has been decharacterized by standards set by the state veterinarian.

Sec. 5. RCW 16.52.180 and 1994 c 261 s 12 are each amended to read as follows:

Except as prohibited in section 2 of this act, no part of this chapter shall be deemed to interfere with any of the laws of this state known as the "game laws," nor be deemed to interfere with the right to destroy any venomous reptile or any known as dangerous to life, limb or property, or to interfere with the right to kill animals to be used for food or with any properly conducted scientific experiments or investigations, which experiments or investigations shall be performed only under the authority of the faculty of some regularly incorporated college or university of the state of Washington or a research facility registered with the United States department of agriculture and regulated by 7 U.S.C. Sec. 2131 et seq.

NEW SECTION. **Sec. 6.** Sections 1 and 2 of this act constitute a new chapter in Title 69 RCW.

NEW SECTION. **Sec. 7.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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